

**IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION**

KEITH LOWE,

Plaintiff,

v.

**Civ. Act. No: 2:25cv272
Judge Thomas Johnston**

SUPERINTENDENT JOHN FRAME, et al.,

Defendants.

AFFIDAVIT OF SARAH K. BROWN

**UNITED STATES OF AMERICA
STATE OF WEST VIRGINIA
COUNTY OF KANAWHA, to wit:**

I, Sarah K. Brown, hereby state the following facts are true to the best of my knowledge and belief:

1. I am an attorney practicing law in Charleston, West Virginia, and I am presently employed by the non-profit legal services office Mountain State Justice, Inc. Since April 2022, I have been the Executive Director of Mountain State Justice. I have been employed by Mountain State Justice since January 2011.

2. Prior to my employment at Mountain State Justice, I practiced in the areas of labor and employment law, criminal defense, consumer protection, family law, and appellate litigation.

3. I am a member in good standing of the West Virginia Bar and have been since October 2008. I am admitted to practice before the United States District Courts for the Northern and Southern Districts of West Virginia and the United States Court of Appeals for the Fourth and Sixth Circuits.

4. I graduated from American University Washington College of Law magna cum laude in 2008 and am a member of the Order of the Coif. I ranked fifteenth in my graduating class of 402 students. Upon graduation and as a student, I received several awards for academic excellence. During academic year 2007-08, I was Editor in Chief of the Administrative Law Review, published by the students of American University Washington College of Law in conjunction with the American Bar Association's Section of Administrative Law and Regulatory Practice. I received the Outstanding Graduate award, selected by the faculty of the law school, for the Class of 2008.

5. I received my Bachelor's degree from Saint Mary's College in 2005, where I graduated magna cum laude and received several awards for undergraduate scholarship.

6. After graduation from law school I served as a law clerk for The Honorable Martha Craig Daughtrey, Judge of the United States Sixth Circuit Court of Appeals during the 2008-09 term.

7. In participating in this litigation, I brought my academic and professional experience to assist the litigation.

8. In particular, I provided supervision and support to Staff Attorney Lesley Nash, while our Deputy Director and lead civil rights litigator, Lydia Milnes, was on sabbatical.

9. According to contemporary time records that I regularly create and maintain, I have accumulated attorney fees of \$5,177.50 in the following manner:

- a \$1,330.00 pertaining to Plaintiff's motion for joinder and to amend his Complaint; and

- b \$3,847.50 pertaining to Plaintiff's motion to enforce the preliminary injunction, for contempt, and for sanctions, including the hearing before this Court on August 4, 2025.

10. During the course of this litigation and compiling my time records, I have sought to exercise billing judgment and have declined to record time for time expended on short phone calls and other matters marginally related to this litigation. I have sought to keep a minimum the number of billed hours.

11. No part or any fee award will inure to my personal benefit; however, Mountain State Justice, depends on attorney fee awards to continue our work serving low-income West Virginians.

12. In communications with other attorneys in the area, including specifically, Jason Causey, Matthew Stonestreet, Anthony Majestro, Stephen Skinner, and Jonathan Marshall, I am informed that the market rate in this community for an attorney with my level of experience and academic background is \$600.00 to \$725.00 per hour. My current hourly rate is \$475/hour.

9/23/25

Date

SKR

SARAH K. BROWN

Motion to Enforce

| Date | Amount | Billable Time | Task | Reference | User | Description |
|------------|------------|--------------------|------------|---------------------------|----------------|--|
| 07/16/2025 | \$332.50 | 42 Minutes | Discussion | Lowe, Keith v Frame et al | Brown, Sarah K | discuss strategy at case review |
| 07/24/2025 | \$190.00 | 24 Minutes | Discussion | Lowe, Keith v Frame et al | Brown, Sarah K | discuss motion to enforce PI order & case strategy |
| 07/24/2025 | \$237.50 | 30 Minutes | Review | Lowe, Keith v Frame et al | Brown, Sarah K | review contempt motion |
| 07/28/2025 | \$237.50 | 30 Minutes | Discussion | Lowe, Keith v Frame et al | Brown, Sarah K | prepare for hearing |
| 07/29/2025 | \$142.50 | 18 Minutes | Discussion | Lowe, Keith v Frame et al | Brown, Sarah K | discuss hearing prep with LN |
| 08/01/2025 | \$190.00 | 24 Minutes | Travel | Lowe, Keith v Frame et al | Brown, Sarah K | travel to DCR office and back to serve subpoena |
| 08/01/2025 | \$427.50 | 54 Minutes | Discussion | Lowe, Keith v Frame et al | Brown, Sarah K | prepare for MTE hearing with LN |
| 08/03/2025 | \$380.00 | 48 Minutes | Discussion | Lowe, Keith v Frame et al | Brown, Sarah K | Discuss motion to enforce hearing with Lesley |
| 08/04/2025 | \$1,710.00 | 3 Hours 36 Minutes | Hearing | Lowe, Keith v Frame et al | Brown, Sarah K | Hearing on Motion to Enforce |

\$3,847.50

Motions to Amend and for Joinder

| Date | Amount | Billable Time | Task | Reference | User | Description |
|------------|----------|---------------|------------|---------------------------|----------------|---|
| 06/02/2025 | \$47.50 | 6 Minutes | Discussion | Lowe, Keith v Frame et al | Brown, Sarah K | discuss case with LM |
| 07/03/2025 | \$332.50 | 42 Minutes | Discussion | Lowe, Keith v Frame et al | Brown, Sarah K | dicuss reply re joinder w/LN |
| 07/03/2025 | \$950.00 | 2 Hour | Revise | Lowe, Keith v Frame et al | Brown, Sarah K | review and revise reply to motion for joinder |

\$1,330.00